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VIA ECF

The Honorable Arun Subramanian, U.S.D.J.
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Van Duser *et al.* v. Tozzer LTD., *et al.*, 1:23-cv-09329 (AS)

Dear Judge Subramanian:

This firm represents the Plaintiffs. This letter concerns Plaintiffs' June 20, 2024 opposition to Defendants' Motion to Dismiss (Doc. No. 43).

Defendants correctly point out in their June 26 reply (Doc. No. 44) that Plaintiffs' brief exceeds the 20-page limit under Your Honor's Individual Rules 8.C. nor provides the non-argumentative chart under Rule 8.G.i. Plaintiffs sincerely and respectfully apologize for these oversights, as we fully recognize it is important to always check the Court's Individual Rules. Plaintiffs, if the Court permits and requests, will promptly resubmit their opposition to conform with these Rules.

Plaintiffs, again, apologize for these oversights as we recognize the Rules are important and the Court's time is valuable and limited.

We appreciate the Court's consideration of this request.

Respectfully submitted,
LIPSKY LOWE LLP

s/ Douglas B. Lipsky
Douglas B. Lipsky

CC: Counsel of Record (Via ECF)